

SENATE BILL 101
By Ford

AN ACT to amend Tennessee Code Annotated, Title 62,
Chapter 5, relative to sales of future funeral needs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 62-5-405, is amended by adding the following new subsections thereto:

(f) No unlicensed person, association, partnership, firm or corporation shall sell any agreement, contract or plan permitted under this part without a valid certificate of registration issued by the commissioner.

(g) Each registrant must be engaged under contract by or on behalf of a licensed funeral establishment to sell any agreement, contract or plan permitted under this part.

(h) All registrants shall serve an apprenticeship of thirty (30) day under a licensed funeral director having an established place of business. No agreement, contract or plan entered into shall be valid unless it is approved, and signed, by a licensed funeral director of the funeral establishment.

(i) The licensed funeral director overseeing registrant pursuant to this section shall be responsible for the professional conduct of such registrant.

(j) Registration for a seller of agreements, contracts or plans permitted under this part shall expire on the anniversary of the seller's initial registration. A certificate of registration can be renewed within two (2) months of its expiration by filing the prescribed form with the commissioner and payment of a fee set by the commission. Initial registrants shall contain a statement for the applicable funeral home director that the applicant has successfully completed the required apprenticeship.

SECTION 2. Tennessee Code Annotated, Section 62-5-601, is amended by adding a new subsection thereto, as follows:

(_) Beginning January 1, 2006, each registrant as a seller of agreements, contracts or plans shall with all renewals of applications submit evidence of satisfactory completion of at least five (5) hours of continuing education coursework annually that is approved by the board. Compliance with such continuing education coursework shall be mandatory for renewal of registration.

SECTION 3. The board is hereby authorized to promulgate rules and regulations pursuant to Title 4, Chapter 5, to implement the provisions of this act.

SECTION 4. For the purposes of promulgating rules and regulations this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect January 1, 2006, the public welfare requiring it.